IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL (S) NO. 10702 OF 2005

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Mr.A.V. Anturkar for the Appellants.

CORAM : H.L. GOKHALE &
S.P. KUKDAY, JJ.

DATE : 13TH JUNE 2005

P.C. :

1. Heard Mr.Anturkar for the Appellants.

2. The Appeal seeks to challenge the order dated 19th January 2004 passed by a learned Single Judge on Writ Petition No.415 of 2004. The order proceeds on the footing that there was only one point which had been argued before the learned Single Judge, which has been stated in that order, and in view of the fairness shown by the counsel for the Petitioners, the learned Single Judge has decided the matter on that point.

3. Mr.Anturkar states that there were some more points argued before the learned Single Judge, but they are not reflected in the order. If that is so, the correct remedy for the Appellants is to move the learned Single Judge for review of the order that he has passed and bring it to his notice that some more points were addressed, but they have not been reflected in the order. Mr.Anturkar therefore seeks leave to withdraw this Appeal with a view to file review petition. Appeal allowed to be withdrawn with liberty. Undoubtedly, when the review petition is filed, the same will be heard and decided on its own merits.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)